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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/605,708	10/21/2003	Zhiyuan Gong	GLOF:007USC1

32425  
 FULBRIGHT & JAWORSKI L.L.P.  
 600 CONGRESS AVE.  
 SUITE 2400  
 AUSTIN, TX 78701



CONFIRMATION NO. 2707

## FORMALITIES LETTER



\*OC000000011755575\*

Date Mailed: 01/23/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee, under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

03/23/2004 SDENB081 00000084 10605708

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65.00 OP

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

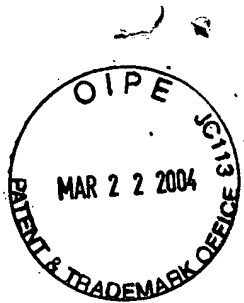
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*A copy of this notice **MUST** be returned with the reply.*

Y.G.  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



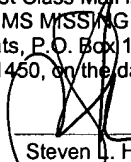
## FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

DAVID L. PARKER  
PARTNER  
DPARKER@FULBRIGHT.COM

DIRECT DIAL: (512) 536-3055  
TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

March 17, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
March 17, 2004	
Date	Steven L. Highlander

### MS MISSING PARTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/605,708 entitled "CHIMERIC GENE CONSTRUCTS FOR GENERATION OF FLUORESCENT TRANSGENIC ORNAMENTAL FISH" – Zhiyuan Gong et al.*  
*Our reference: GLOF:007USC1*  
*Intro reference: GONG ZY 01-PCT/US*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed January 23, 2004;
- (2) Copy of Three Declarations previously submitted in parent case;
- (3) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (4) Computer Readable Form of Sequence Listing;
- (5) Paper Copy of Sequence Listing;

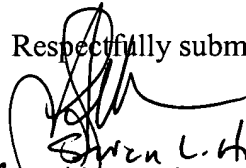
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Commissioner for Patents  
March 17, 2004  
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- (6) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (7) Check in the amount of \$65.00; and
- (8) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/GLOF:007USC1.

Respectfully submitted,

  
David L. Parker  
Reg. No. 32,165  
Ref No. 37,642

DLP/mar  
Encl: as noted